

Application No. 10/777,043

Docket No.: 21095-00008-US1

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Claims 1, 2 and 4-12 are now in the application.

The rejection of Claims 1, 2 and 4-12 for obviousness-type double patenting as being unpatentable over Claims 1-20 of US patent 6,723,737 has been overcome by the attached terminal disclaimer. The filing of a terminal disclaimer is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Cir. 1991) and *Ortho Pharmaceuticals Corp. v. Smith*, 22 USPQ2d 1119 (Fed. Cir. 1992).

In view of the above amendment, applicant believes the pending application is in condition for allowance.

In the event that the Examiner believes that another interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

Please charge any fee due with this response to our Deposit Account No. 22-0185, under Order No. 21095-00008-US1 from which the undersigned is authorized to draw.

Dated: 9-1-06

Respectfully submitted,

By 

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